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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Written statement* submitted by the International Indian Treaty Council,
a non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 January 2002]

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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For Indigenous Peoples, Economic, Social and Cultural Rights are inseparable and mutually interdependent. Traditional social systems, subsistence practices and cultures form an intricate web and a way of life that maintains the identity, social and physical health, and survival of Indigenous Peoples around the world.

The right of Self Determination as stated in Article 1 in Common of the two International Human Rights Covenants also upholds the right of all Peoples to freely pursue their economic, social, and cultural development, firming linking these interrelated rights.
Article 1 of the International Covenant on Economic, Social and Cultural Rights further affirms that in no case a People may be deprived of its own means of Subsistence.

However, around the world today, countless cultural sites, holy places, and traditional subsistence areas are under attack by outside economic interests motivated by profits. Their activities are supported by State policies and politicians who blatantly disregard the rights of the Indigenous Peoples who have lived in and used these areas since time immemorial. Many of these essential places have already been contaminated or destroyed, in direct violation of the cultural, social and economic rights of the Indigenous Peoples who they sustain and who are responsible for protecting them.

The Great Lakes ecosystem has provided First Nation Peoples of what is now the United States and Canada a spiritual, cultural, and economic way of life for countless generations. Ongoing hazardous and chemical waste discharges and toxic releases by transnational corporations into the waters and air of the Great Lakes have severely impacted the Indigenous Peoples of the Great Lakes ecosystem. Their traditional cultures, social and clan relationships and subsistence economies are based on fishing and gathering of traditional foods and medicines.

In many of traditional Indigenous communities of this region, families still eat the fatty material of the fish which now has very high concentrations of dioxin and other contaminants such as mercury. Government issued fish advisories demanding that women of childbearing age as well as children and elders discontinue their traditional fish eating practices is viewed by these communities as a form of cultural genocide since the relationship to the fish and food is tied to spiritual beliefs and traditional teachings as well as nutrition.

For the Oneida People of Wisconsin, many of the children no longer remember when fishing was a way of life for their people because of the severe industrial contamination of the waters and fish of Lake Michigan. Research on children and women who regularly eat large amounts of contaminated fish from Lake Michigan of the Great Lakes of North America resulting from industrial wastes, found observable and measurable behavioral effects and learning deficits passed from one generation to the next.

In the US and Canada, Mohawk Indian Peoples traditionally consume large amounts of fish as well. Mohawk women carry over 10,000 parts per million of PCB in their bodies that is passed on to babies in the womb and through breast milk.

Families are faced with abandoning their traditional social, cultural and economic practices based on a fishing way of life which has been passed from parents to children for countless generations, or face the contamination of their own children and destruction of their future generations.

Massive coal mining activities in the sacred Black Mesa area of the southwestern United States began in the late 1950's continue today, backed by US government legislation, at the expense of

the Human Rights of traditional Dineh and Hopis for whom Black Mesa has profound spiritual and religious significance.

The traditional Dineh and Hopis of Black Mesa have opposed mining of this sacred area, which is of fundamental importance to their cultural identity and ceremonial practices since Peabody Coal's mining activity began there in the mid-1960s. They continue to oppose it today.

Peabody Energy of St. Louis Missouri, USA, Peabody Coals' parent company and the world's largest coal producer, is in the midst of developing $7 billion worth of mine-mouth coal-fired power plants in the U.S.

The Peabody currently mine converts all its coal into a powder-water mixture (slurry) that is pumped 273 miles to Southern California Edison's Mohave Generating Station at Laughlin, Nevada. This activity uses approximately 3.3 million gallon of water a day pumped from the high desert aquifer, according to local sources. For about three decades Peabody has pumped this water from eight deep wells that also serve nearby Hopi and Dineh Indigenous communities. Local residents are reporting with increasing frequency that sacred ceremonial water, along with those used to provide water for families and livestock are diminishing and even disappearing.

For the traditional Dineh, Water is the sacred essence of and source of life, the Female Deity of the world, in the words of one traditional Dineh, Nebahe Kateney, whose family has continued to resist the forced relocation legislated by US Congress to make way for expanded coal mining in the area. "She is given the most ultimate respect not only when drank but when she is approached at a stream whether It be a brook or a river."

"Water is Great among the traditional Dineh of Big Mountain because the geography of Black Mesa has two canyons: the Blue Canyon (or Moencopi Wash) and the Wide Ruin Canyon. These two canyons with ali its natural springs represent the Energy Flows of The Resting Male Mountain and The Resting Female Mountain. Where the two Gender Entity's heads nearly meet is where the current Peabody Coal mines are located. Where the feet of these two Spirit Entities is where the confluence of the Wide Ruin and Blue Canyons are located. It is said that their feet rest upon this "Y" shaped help support their resting Beings.

"These represent Life of Earth and Sun as they combined its energy to create all living things. These represent Man and Woman whom, according to these Supreme Laws, will dwell upon these lands to make the Life for the People. Life means the vegetations, the medicine, the wild berries, the natural tobacco, the big and small game, and a traditional lodge with its fireplace. Water Spirits of Black Mesa and Big Mountain means that the Supreme Law is for the Dineh to always continue to make Offerings of Precious Stones and Corn Pollen to all of its Sacred Springs. Today, the ancient Chants that go with the Offerings to the summit of Big Mountain or to its Sacred Springs recite the stories of such times of creation.

"If Peabody Western Coal Company's mining operation continue and is not made accountable for its part in the forcible Relocation policies then, the rest of society of will only have plenty of electrical energy for the growing cities and industries. There will be no more Life of vegetation or wildlife. The natural medicine and foods will be forever contaminated and destroyed. The Sacred, natural springs are drying up due to the mining operation's extraction of massive amounts of an ancient aquifer that lies 1500 feet below the aboriginal lands of the traditional Dineh and Hopis.

Lastly, we would like to provide one more tragic example in the United States of the devastating results of unchecked economic greed causing irreparable and irreversible harm to a traditional culture of an Indigenous Nation. Since the early 1980's Pegasus Gold, a Canadian multinational corporation, operated the largest open pit cyanide heap leach gold mine in North America directly adjacent to the reservation lands of the Gros Ventre Indian Nation in Montana USA, within the territories recognized under their treaty with the US government.

Until it closed in 1998, the Pegasus mine emitted mine tailings containing cyanide which poisoned the ground water and streams flowing into the reservation. It also completely destroyed the Gros Ventre Indian Peoples' most sacred mountain, the source of their religious visions and medicine plants for countless generations. This sacred mountain where the ceremonial leaders had sought spiritual inspiration to guide their People since time immemorial, is now a desolate tailings pile.

This harm is irreparable. It cannot be repaired, neither by the corporation which made more than $300,000,000 from the mountains' destruction, nor by the US government which allowed it to be destroyed with no regard for the years of protests by the Peoples whose cultural rights were directly impacted, along with the health of their communities.

A traditional grandmother of the White Clay Society, Gros Ventre Indian Nation asked that the IITC present her question to the members of the Commission at this session. She asks you:
"Where can we go to pray now that our sacred mountain is gone?"

Who among the distinguished members of this Commission has an answer for her?
We ask you this in the name of human decency and the equal and inalienable rights of all Peoples.

For all our relations.